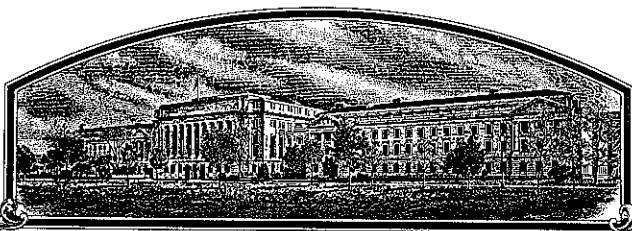


No.



9600342

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Research & Development Institute, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE IDENTIFIED BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF SEEDS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'NuWest'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirtieth day of June in the year of our Lord one thousand nine hundred and ninety-nine.

Attest:

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(INSTRUCTIONS ON REVERSE)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) Research & Development Institute, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO. MT7811		3. VARIETY NAME NuWest	
4. ADDRESS (street and no. or R.F.D. no., city, state, ZIP, and country) 1711 West College Bozeman, MT 59715		5. PHONE (include area code) (406) 587-4479		FOR OFFICIAL USE ONLY PVPO NUMBER 9600342	
		6. FAX (include area code) (406) 587-4480			
7. GENUS AND SPECIES NAME Triticum asetivum		8. FAMILY NAME (Botanical) Poaceae		Filing and Examination Fee \$ 2,450.00	
9. CROP KIND NAME (Common Name) common wheat				Date August 22, 1996	
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation				Certificate Fee \$ 300.00	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Montana		12. DATE OF INCORPORATION Sept. 2, 1990		Date 3/29/99	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS. Roger N. Flair Research & Development Institute, Inc. 1711 West College Bozeman, MT 59715					
PHONE (include area code): (406) 587-4479 FAX (include area code): (406) 587-4480					

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow INSTRUCTIONS on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
b. ☒ Exhibit B. Statement of Distinctness
c. ☒ Exhibit C. Objective Description of the Variety
d. ☐ Exhibit D. Additional Description of the Variety
e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership
f. ☒ Voucher Sample (2,500 viable untreated seeds or for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository)
g. ☒ Filing and Examination Fee as prescribed in 97.175 of the regulations, made payable to "Treasurer of the United States" (Mail to PVPO)

15. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)?

☒ YES (If "yes", answer items 16 and 17 below)☐ NO (If "no", skip to item 18 below)

16. DOES THE APPLICANT SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☒ YES☐ NO

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☒ FOUNDATION☒ REGISTERED☒ CERTIFIED

18. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

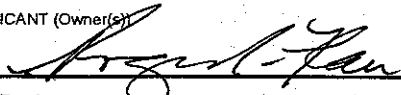
☒ YES (If "yes", give names of countries and dates)☐ NO**September, 1995**

19. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in section 41, and is entitled to protection under the provisions of section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))



CAPACITY OR TITLE

President

DATE

8/21/96

NAME (Please Print or Type)

Roger N. Flair

SIGNATURE OF APPLICANT (Owner(s))

CAPACITY OR TITLE

DATE

NAME (Please Print or Type)

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed Exhibits A, B, C, E; (3) at least 2,500 viable untreated seeds, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in a public repository prior to issuance of a certificate; (4) check drawn on a U.S. bank, payable to "Treasurer of the United States" in the amount specified for filing and examination. (See Section 97.175 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 30 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Blvd., Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount specified in 97.175 for issuance of the Certificate.

Plant Variety Protection Office
Telephone: (301) 504-5518

ITEM

- 14a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified.
- 14b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 14c. Exhibit C forms are available from the PVPO for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 14d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 14e. Section 52(4) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. The applicant may be the actual breeder, the employee of the breeder, the owner through purchase or inheritance, etc.
15. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant may **NOT** reverse this affirmative decision after the variety has been sold and so labelled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See P.L. 103-349 for additional information.)
18. See section 41, 42, and 43 of the Act and section 97.175 of the regulations for eligibility requirements.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment is specified in section 97.175 of the regulations. (See section 101 of the Act, and sections 97.130, 97.131, 97.175(h) of Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant should check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center—East, Beltsville, MD 20705. Telephone: (301) 504-8089.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W Administration Building, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project, Washington DC 20503, regarding OMB 0581-0055.

Nu West

14 a. Origin and Breeding History

NuWest is a hard white winter wheat selected by Montana State University breeders from the cross Froid/Winona//MT6928/Trader made in 1971. *The expanded pedigree of MT6928 is Sinvalocho/Wichita//Hope/Cheyenne/3/Wichita/4/Seu Seun 27/5/Kaw/6/Westmont.* NuWest was initially selected as an F3-derived, F5 headrow in 1976. The line was subsequently evaluated in the Montana Uniform Winterhardiness Nursery in 1976-1977 and 1977-1978. The line was given the experimental designation MT7811 in 1978 and placed in a preliminary yield nursery in 1978-1979. MT7811 has been tested in the Montana Intrastate Winter Wheat Yield Nursery since 1980 (except 1992). MT7811 has been reselected several times, attempting to purify the line for seed color.

Heads were selected the summer of 1991 and planted as head rows in September of 1991. Uniform headrows were harvested in August, 1992 and bulked and planted in September 1992 to produce Breeders seed. Breeders seed was harvested in August, 1993 and planted in September, 1993 to produce Foundation. Foundation seed was harvested in August, 1994.

In September of 1994 Western Plant Breeders, Inc of Bozeman, Montana successfully bid for the exclusive right to the variety MT7811 and named the variety "NuWest". (See attached copy of exclusiveness letter). Western Plant Breeders, Inc planted the Foundation seed in September, 1994 to produce Registered and Certified seed. This production was harvested in August, 1995 and first sold to growers on an "Identity Preserved" basis in September of 1995.

A red seeded variant occurs in NuWest at a frequency of up to 8 kernels per 10,000. Otherwise, NuWest is a stable and uniform variety in agronomic appearance and performance across several generations (1987 through 1993 = F15-F21), and growing conditions. *That Uniformity and stability has been observed in the Montana State Winter Wheat Yield Nursery from 1987 to 1993.*

NuWest

Table 8. Quality of NuWest compared to check varieties grown in the Montana
Intrastate Winter Wheat Yield Nursery from 1987 to 1993. (30 location years)

<u>Variety</u>	<u>Flour Yield</u>	<u>Farinograph</u>			<u>Wheat Protein (%)</u>	<u>Loaf Volume (cc)</u>	<u>Grain Texture</u>
		<u>Absorption</u>	<u>Peak</u>	<u>Stability</u>			
NuWest	69.0	59.9	8.3	19.6	13.6	920	4.4
Rocky	66.4	61.2	8.8	20.4	13.3	878	4.1
Neeley	65.9	62.0	11.2	19.4	13.3	913	4.4
Tiber	66.2	60.7	10.1	18.7	13.3	914	4.5
Redwin	68.7	63.1	10.2	19.3	14.1	963	5.0
Norstar	68.9	59.5	12.3	22.3	13.5	972	5.2
Norwin	70.2	61.1	8.2	18.9	12.7	893	4.3

14 b. Novelty Statement

NuWest is most similar to the variety Rocky. However, NuWest has white seed while Rocky has red seed.

The above comparison, along with the complete objective description (14 c.), shows NuWest to be a novel variety of hard white winter wheat.

14 c. Objective Description (see pages 4 and 5)

INSTRUCTIONS: See Reverse.

WHEAT (TRITICUM SPP.)

NAME OF APPLICANT(S) Research & Development Institute, Inc	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 1711 West College Bozeman, MT 59715	PVPO NUMBER 9600342
	VARIETY NAME OR TEMPORARY DESIGNATION NuWest

Place a zero in first box (e.g.

0	8	9
---	---	---

 or

0	9
---	---

) when number is either 99 or less or 9 or less.

1. KIND:

1 = COMMON 2 = DURUM 3 = EMMER 4 = SPELT 5 = POLISH 6 = POULARD 7 = CLUB

2. TYPE,

2 1 = SPRING 2 = WINTER 3 = OTHER (Specify) 2 1 = SOFT 2 = HARD 3 = OTHER (Specify)

1 1 = WHITE 2 = RED 3 = OTHER (Specify)

3. SEASON - NUMBER OF DAYS FROM EMERGENCE TO:

2	6	7	FIRST FLOWERING	2	7	2	LAST FLOWERING
---	---	---	-----------------	---	---	---	----------------

4. MATURITY (50% Flowering):

0 4 NO. OF DAYS EARLIER THAN 7 1 = ARTHUR 2 = SCOUT 3 = CHRIS

0 3 NO. OF DAYS LATER THAN 8 4 = LEMHI 5 = NUGAINES 6 = LEEDS
7 = Norstar 8 = Rocky

5. PLANT HEIGHT (From soil level to top of head):

0	8	6
---	---	---

 CM. HIGH

20 CM. TALLER THAN 9 8=Rocky 9=Norwin

0 3 CM. SHORTER THAN 8 1 = ARTHUR 2 = SCOUT 3 = CHRIS
4 = LEMHI 5 = NUGAINE 6 = LEEDS

6. PLANT COLOR AT BOOTING (See reverse):

3 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN

7. ANTHER COLOR:

1 1 = YELLOW 2 = PURPLE

8. STEM:

1 Anthocyanin: 1 = ABSENT 2 = PRESENT

2 Hairiness of last internode of rachis: 1 = ABSENT 2 = PRESENT

0	4	NO. OF NODES (Originating from node above ground)
---	---	---

2 Waxy bloom: 1 = ABSENT 2 = PRESENT

1 Internodes: 1 = HOLLOW 2 = SOLID

2	6	CM. INTERNODE LENGTH BETWEEN FLAG LEAF AND LEAF BELOW
---	---	--

9. AURICLES:

1 Anthocyanin: 1 = ABSENT 2 = PRESENT

1 Hairiness: 1 = ABSENT 2 = PRESENT

10. LEAF:

2 Flag leaf at booting stage: 1 = ERECT 2 = RECURVED
3 = OTHER (Specify): _____

2 Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT

1	0	MM. LEAF WIDTH (First leaf below flag leaf)
---	---	---

2 Flag leaf: 1 = NOT TWISTED 2 = TWISTED

2 Waxy bloom of flag leaf sheath: 1 = ABSENT 2 = PRESENT

24 CM. LEAF LENGTH (First leaf below flag leaf):

11. HEAD:

☐ 1 Density: 1 = LAX 2 = DENSE ☐ 2 Shape: 1 = TAPERING 2 = STRAP 3 = CLAVATE
4 = OTHER (Specify) _____

☐ 4 Awnedness: 1 = AWNLESS 2 = APICALLY AWNLETED 3 = AWNLETED 4 = AWNED

☐ 1 Color at maturity: 1 = WHITE 2 = YELLOW 3 = PINK 4 = RED
5 = BROWN 6 = BLACK 7 = OTHER (Specify): _____

☐ 0 ☐ 8 CM. LENGTH ☐ 0 ☐ 8 MM. WIDTH

12. GLUMES AT MATURITY:

☐ 2 Length: 1 = SHORT (CA. 7 mm.) 2 = MEDIUM (CA. 8 mm.) 3 = LONG (CA. 9 mm.) ☐ 2 Width: 1 = NARROW (CA. 3 mm.) 2 = MEDIUM (CA. 3.5 mm.)
3 = WIDE (CA. 4 mm.)

☐ 2 Shoulder shape: 1 = WANTING 2 = OBLIQUE 3 = ROUNDED 4 = SQUARE 5 = ELEVATED 6 = APICULATE ☐ 3 Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE

13. COLEOPTILE COLOR:

☐ 1 1 = WHITE 2 = RED 3 = PURPLE

14. SEEDLING ANTHOCYANIN:

☐ 1 1 = ABSENT 2 = PRESENT

15. JUVENILE PLANT GROWTH HABIT:

☐ 1 1 = PROSTRATE 2 = SEMI-ERECT 3 = ERECT

16. SEED:

☐ 3 Shape: 1 = OVATE 2 = OVAL 3 = ELLIPTICAL ☐ 1 Cheek: 1 = ROUNDED 2 = ANGULAR

☐ 2 Brush: 1 = SHORT 2 = MEDIUM 3 = LONG ☐ 1 Brush: 1 = NOT COLLARED 2 = COLLARED

☐ 0 Phenol reaction (See instructions): 1 = IVORY 2 = FAWN 3 = LT. BROWN
4 = BROWN 5 = BLACK

☐ 1 Color: 1 = WHITE 2 = AMBER 3 = RED 4 = PURPLE 5 = OTHER (Specify) _____

☐ 0 ☐ 6 MM. LENGTH ☐ 0 ☐ 4 MM. WIDTH ☐ 3 ☐ 3 GM. PER 1000 SEEDS

17. SEED CREASE:

☐ 1 Width: 1 = 60% OR LESS OF KERNEL 'WINOKA'
2 = 80% OR LESS OF KERNEL 'CHRIS'
3 = NEARLY AS WIDE AS KERNEL 'LEMHI' ☐ 2 Depth: 1 = 20% OR LESS OF KERNEL 'SCOUT'
2 = 35% OR LESS OF KERNEL 'CHRIS'
3 = 50% OR LESS OF KERNEL 'LEMHI'

18. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

☐ 2 STEM RUST (Races) Sr5, Sr6 ☐ 1 LEAF RUST (Races) _____ ☐ 1 STRIPE RUST (Races) _____ ☐ 0 LOOSE SMUT
☐ 0 POWDERY MILDEW ☐ 1 BUNT ☐ 0 OTHER (Specify) _____

19. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

☐ 1 SAWFLY ☐ 1 APHID (Bydv.) ☐ 0 GREEN BUG ☐ 0 CEREAL LEAF BEETLE
☐ 1 OTHER (Specify) Russian wheat aphid ☐ 0 GP ☐ 0 A ☐ 0 B ☐ 0 C
HESSIAN FLY ☐ 0 D ☐ 0 E ☐ 0 F ☐ 0 G
RACES: }

20. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	Rocky	Seed size	Rocky
Leaf size	Rocky	Seed shape	Rocky
Leaf color	Norstar	Coleoptile elongation	Redwin
Leaf carriage	Tiber	Seedling pigmentation	Rocky

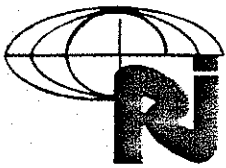
INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

- (a) L.W. Briggie and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, United States Department of Agriculture.
- (b) W.E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

LEAF COLOR: Nickerson's or any recognized color fan should be used to determine the leaf color of the described variety.





RESEARCH & DEVELOPMENT INSTITUTE, INC.

1711 West College
Bozeman, MT 59715

9600342

Telephone: (406) 587-4479
FAX: (406) 587-4480

September 16, 1994

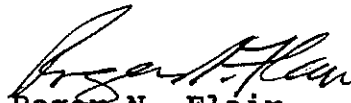
Dan Biggerstaff
General Manager
Western Plant Breeders
8111 Timberline Drive
Bozeman, MT 59715

Re: Exclusive License for MT7811 Hard White Winter Wheat

Dear Dan:

Enclosed are two originals of the above referenced license which have been signed by me for the Institute and approved by Dr. Swenson for the University. Would you kindly sign both originals, return one to me and keep one for your records. Thank you for your interest in this technology.

Very truly yours,


Roger N. Flair
President

RNF/cie

Enclosures

cc: Tom McCoy
Becky Mahurin
Peter Perna

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Research & Development Institute, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER MT7811	3. VARIETY NAME NuWest
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 1711 West College Bozeman, MT 59715	5. TELEPHONE (include area code) (406) 587-4479	6. FAX (include area code) (406) 587-4480
7. PVPO NUMBER 9600342		
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country _____ <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
10. Is the applicant the original breeder? If no, please answer the following: a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____ <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country _____ <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
11. Additional explanation on ownership (If needed, use reverse for extra space): the Plant, Soil and Environmental Science Dept. of Montana State University has assigned ownership of "NuWest" to the Research & Development Institute, Inc		

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.